



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/593,724

09/21/2006

Hideaki Yajima

2006_1206A

2852

52349 7590 10/16/2008
WENDEROTH, LIND & PONACK L.L.P.
2033 K. STREET, NW
SUITE 800
WASHINGTON, DC 20006

EXAMINER

PHANTANA ANGKOOL, DAVID

ART UNIT

PAPER NUMBER

2175

MAIL DATE

DELIVERY MODE

10/16/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/593,724	Applicant(s) YAJIMA ET AL.	
	Examiner David Phantana-angkool	Art Unit 2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This application has been reassigned to Examiner David Phantana-angkool.
2. This action is responsive to the following communications: Amendment filed on June 18th, 2008.
This action is made final.
3. Claims 1-13 are pending claims.
4. Applicants amended claims 1, 11-13.
5. Applicants amended claims 1 and 13 in response to a 35 USC § 101 rejection cited in the previous office action. Applicant's amendment has addressed the rejection previously made, and therefore, in view of the amendment, 35 USC § 101 rejection for claims 1-10 and 13 is now withdrawn.

Claim Rejections - 35 USC § 101

6. **35 U.S.C. 101 reads as follows:**

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. **Claim 12 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.**

While the applicant amended claim 12 in response to the 35 U.S.C. 101 rejection presented in the last Office Action, the claim language currently does not recite positively statutory subject matter. The Office suggests changing the phrase "*A program stored on a computer-readable medium*" to "A computer-readable medium storing computer readable instructions".

Claim Rejections - 35 USC § 102

8. **The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:**

A person shall be entitled to a patent unless –

Art Unit: 2175

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. **Claims 1-6, 10-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Ikeda, US# 7,082,571.**

As for independent claim 1:

Ikeda shows a guidance display device provided on a terminal device for guiding a user's operation, the guidance display device comprising:

- a content display unit operable to display respective contents on corresponding display regions which are included in one screen and are to be operated by the user (4:63-65);
- a guidance content holding unit operable to hold, in advance, for each of the display regions, a guidance display content for guiding the user's operation of a display region (1: 37-42 and 6: 32-37);
- a guidance synthesis unit operable to obtain, from said guidance content holding unit, the guidance display contents respectively corresponding to the display regions, and to synthesize the obtained guidance display contents into one (4:59-61);
- a guidance display unit operable to display, on a guidance region included in the screen, which is different from the display regions, the guidance display contents synthesized by said guidance synthesis unit (Figure 7 and 4: 59-65).

As for dependent claim 2:

Ikeda shows the *guidance display device according to claim 1, further comprising a determination unit operable to determine an obtainment order for obtaining the guidance display contents respectively corresponding to the display regions* (browser 23A specified the route to the user), *wherein said guidance synthesis unit is operable to sequentially synthesize the guidance display contents obtained in accordance with the obtainment order determined by said determination unit* (7:11-12).

As for dependent claim 3:

Art Unit: 2175

Ikeda shows the *guidance display device according to claim 2, wherein said determination unit is operable to determine the obtainment order for obtaining the guidance display contents, in accordance with an order in which the user operates the respective display regions (7:40-43).*

As for dependent claim 4:

Ikeda shows the *guidance display device according to claim 2, wherein said determination unit is operable to determine the obtainment order for obtaining the guidance display contents, in accordance with a focus position of one of the display regions on the screen (7:37-42).*

As for dependent claim 5:

Ikeda shows the *guidance display device according to claim 2, wherein said determination unit is operable to determine the obtainment order for obtaining the guidance display contents, in accordance with an order in which events are transmitted to a GUI component (7:30-42, Ikeda shows using map information detection unit 28).*

As for dependent claim 6:

Ikeda shows the *guidance display device according to claim 2, wherein said determination unit is operable to determine the obtainment order for obtaining the guidance display contents, in accordance with an arrangement relation of the display regions (7:37-42 and 7: 22-28).*

As for dependent claim 10:

Ikeda shows the *guidance display device according to claim 1, further comprising a guidance display position management unit operable to manage a use state and a display position of each of the guidance display contents (4:63-65), the use state indicating that each guidance display content is to be displayed or not to be displayed, wherein said guidance display unit is operable to display the guidance display contents in accordance with the use state and the display position managed by said guidance display position management unit (5:63-6:8).*

As for independent claim 11:

Ikeda shows a guidance display method for guiding a user's operation, said guidance display method comprising:

Art Unit: 2175

- a content display step of displaying respective contents on corresponding display regions which are included in one screen and are to be operated by the user (4:63-65);
- a guidance content holding step of causing a memory to hold, in advance, for each of the display regions, a guidance display content for guiding the user's operation of a display regions guidance display contents respectively corresponding to display regions which are included in one screen and are to be operated by the user (1: 37-42 and 6: 32-37);
- a guidance synthesis step of obtaining, from the memory, the guidance display contents respectively corresponding to the display regions and of synthesizing the obtained guidance display contents (4:59-61);
- a guidance display step of displaying, on a guidance region included in the screen, which is different from the display regions, the guidance display contents synthesized in said guidance synthesis step (Figure 7 and 4: 59-65).

As for independent claim 12:

Ikeda shows a program stored on a computer-readable medium for causing a computer to execute steps included in the guidance display method according to claim 11 (6:17-20).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the

Art Unit: 2175

examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

12. Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda, US# 7,082,571 in view of Burgess, US# 6,741,790.

As for dependent claim 7:

Ikeda substantially discloses a guidance display device as set forth in claim 6 above. Ikeda does not explicitly disclose *wherein the arrangement relation of the display regions has a hierarchical window structure*. However, Burgess teaches of wherein the arrangement relation of the display regions has a hierarchical window structure (see figure 8). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have wherein the arrangement relation of the display regions has a hierarchical window structure of Burgess on device of Ikeda in order to provide more options.

As for dependent claim 9:

Ikeda substantially discloses a guidance display device as set forth in claim 1 above. Ikeda does not explicitly disclose *a region independent guidance content holding unit operable to hold region independent guidance contents that do not correspond respectively to the display regions, wherein said guidance synthesis unit is operable to synthesize the guidance display contents obtained from said guidance content holding unit and the region independent guidance contents obtained from said region independent guidance content holding unit*. However, Burgess teaches of region independent guidance content holding unit operable to hold region independent guidance contents that do not correspond respectively to the display regions, wherein said guidance synthesis unit is operable to synthesize the guidance display contents obtained from said guidance content holding unit and the region independent guidance contents obtained from said region independent guidance content holding unit (video, 42 for example see figure 3). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have *a region independent guidance content holding unit operable to hold region independent guidance contents that do not correspond respectively to the display regions, wherein said guidance synthesis unit is operable to synthesize the guidance display contents obtained from said*

Art Unit: 2175

guidance content holding unit and the region independent guidance contents obtained from said region independent guidance content holding unit of Burgess on device of Ikeda in order to provide more options.

13. **Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda, US# 7,082,571.**

As for dependent claim 8:

Ikeda substantially discloses a guidance display device as set forth in claim 6 above. Ikeda does not explicitly disclose an arrangement relation management unit operable to manage the arrangement relation of the display regions, and to make a request of said guidance synthesis unit to start the synthesizing of the guidance display contents in the case where the arrangement relation is changed, wherein said guidance synthesis unit is operable to obtain, from said guidance content holding unit, guidance display contents respectively corresponding to the display regions having the changed arrangement relation, in the case of receiving the request from said arrangement relation management unit, and to synthesize the obtained guidance display contents. It would have been an obvious for the device of Ikeda to have an arrangement relation management unit, since such a device would be required to change to a new location as destination, this would cause the device of Ikeda to manage the arrangement relation of the display regions, and to make a request of said guidance synthesis unit to start the synthesizing of the guidance display contents in the case where the arrangement relation is changed, and wherein said guidance synthesis unit is operable to obtain, from said guidance content holding unit, guidance display contents respectively corresponding to the display regions having the changed arrangement relation, in the case of receiving the request from said arrangement relation management unit, and to synthesize the obtained guidance display contents as is disclosed. This limitation involves the mere application of a known technique necessary for the device of Ikeda to be usable by an end user (i.e. change location). Where a claimed improvement on a device or apparatus is no more than "the simple substitution of one known element for another or the mere application of a known technique to a piece of prior art ready for improvement," the claim is unpatentable under 35 U.S.C. 103(a). *Ex Parte Smith*, 83 USPQ.2d 1509, 1518-19 (BPAI, 2007) (*KSR v. Teleflex*, 127 S.Ct. 1727, 1740, 82 USPQ2d 1385, 1396 (2007)). Accordingly Applicant claims a combination that only unites old elements with no change in the

Art Unit: 2175

respective functions of those old elements, and the combination of those elements yields predictable results; absent evidence that the modifications necessary to effect the combination of elements is uniquely challenging or difficult for one of ordinary skill in the art, the claim is unpatentable as obvious under 35 U.S.C. 103(a). Ex Parte Smith, 83 USPQ.2d at 1518-19 (BPAI, 2007) (KSR, 127 S.Ct. at 1740, 82 USPQ2d at 1396.

14. **Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeda, US# 7,082,571 in view of Endo US# 5,889,493.**

As for independent claim 13:

Ikeda shows a large scale integrated (LSI) circuit implemented as a guidance display device for guiding a user's operation, said LSI comprising, in an integrated manner, the following:

- a content display unit operable to display respective contents on corresponding display regions which are included in one screen and are to be operated by user (4:63-65);
- a guidance content holding unit operable to hold, in advance, for each of the display regions, a guidance display content for guiding the user's operation of a display region (1: 37-42 and 6: 32-37);
- a guidance synthesis unit operable to obtain, from the guidance content holding unit, the guidance display contents respectively corresponding to the display regions, and to synthesize the obtained guidance display contents into one (4:59-61);
- a guidance display unit operable to display, on a guidance region included in the screen, which is different from the display regions, the guidance display contents synthesized by said guidance synthesis unit (Figure 7 and 4: 59-65).

Ikeda does not explicitly disclose an LSI. However, Endo teaches of wherein the GPS receiver consists of LSI (see abstract). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have LSI of Endo on device of Ikeda in order to provide LSI screen.

Response to Arguments

Art Unit: 2175

15. Applicants' arguments filed June 18th, 2008 have been fully considered but they are not persuasive. The Office refers applicants to MPEP 2123. Any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re *Heck*, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re *Lemelson*, 397 F.2d

During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.' Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re *Prater*, 162 USPQ 541, 550-51 (CCPA 1969).

Reference is made to MPEP 2144.01 - Implicit Disclosure

"[I]n considering the disclosure of a reference, it is proper to take into account not only specific teachings of the reference but also the inferences which one skilled in the art would reasonably be expected to draw therefrom." In re *Preda*, 401 F.2d 825, 826, 159 USPQ 342, 344 (CCPA 1968).

Regarding 35 U.S.C. 102 rejection

As for independent claims and 11:

16. Applicants assert *that the guidance display device and method, as recited respectively in claims 1 and 11, is clearly different from the features noted above in Ikeda. Specifically, the display device of the present invention includes a content display unit that displays respective content on corresponding display regions include in one screen. No such feature is believed to be disclosed or suggested in Ikeda* (Applicants' Remarks, Pg. 11).

The Office respectfully disagrees.

17. As shown above in this Office Action, Ikeda shows a content display unit operable to display respective contents on corresponding display regions which are included in one screen and are to be operated by the user in Column 4, lines 63-65. Ikeda shows the display control unit 13 displays a desired map on the screen and controls to display the area having a predetermined width of the route specified by

Art Unit: 2175

the route specifying unit 12 clearly and the other area less clearly, thus Ikeda clearly anticipate the above limitation of independent claims 1 and 11.

18. Applicants argue Ikeda *does not display the above-describe synthesized guidance display content on a guidance region which is different from a display region* (Applicants' Remarks, Pg. 12). The Office respectfully disagrees.

19. It is noted that the Applicants argue an amended limitation that was not presented in the last Office Action. As shown above in this Office Action, Ikeda shows *a guidance display unit operable to display, on a guidance region included in the screen, which is different from the display regions, the guidance display contents synthesized by said guidance synthesis unit* in Figure 7 and Column 4, lines 59-65.

Regarding 35 U.S.C. 103 rejection

As for dependent claims 7, 9:

20. Applicants assert *the features recited in independent claim 1 (as amended). Additionally, Burgess fails to overcome the deficiencies noted above in Ikeda. Therefore, no combination in Ikeda and Burgess would result in, or otherwise render obvious, claims 7 and 9 at least by virtue of their dependency from independent claim 1* (Applicants' Remarks, Pg. 13).

The Office respectfully disagrees.

21. It is noted that the above Office Action shows Ikeda shows all the limitations of claim 1 and does not rely on Burgess to teach independent claim 1. Moreover the combination of Ikeda and Burgess teaches all the limitations of claims 7 and 9 as shown in the previous Office Action and also on Pg. 6 above.

As for independent claim 13:

With regard to independent claim 13, the applicants argue the same argument as presented above for independent claims 1 and 11. Thus as indicated in the above discussion, the same rationale/rejection applies to independent claim 13.

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2175

23. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Phantana-angkool whose telephone number is 571-272-2673. The examiner can normally be reached on M-F, 9:00-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on 571-272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David Phantana-angkool/
Examiner, Art Unit 2175

/Kieu D Vu/
Primary Examiner, Art Unit 2175